



Does Russia need an action plan on Roma?

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On 30th of May 2007 the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Mr. Doudou Diene has submitted a report to the UN HUMAN RIGHTS COUNCIL about his mission in the RUSSIAN FEDERATION for the year 2006.

In his report Mr. Diene harshly criticized the current situation in Russia and recommended to the government to pursue "The official and formal recognition of the existence of racism, racial discrimination and xenophobia and the expression of the political will to combat it."

Another important recommendation of the report was an offer to accept a federal action plan to combat racism, racial discrimination, xenophobia and related intolerance as well as the creation of a special independent institute for monitoring and control over the situation. Mr. Diene advises that in the development of the action plan, as well in the work of the institute, all the interested parties should be represented, including the victims of discrimination and human rights activists.

In the report, Mr. D. Diene has presented his impressions and observations regarding the meetings with the authorities, human rights activists and victims of racism and discrimination.

Under the item 55 and 56 of his report the special rapporteur touched upon the problem of compact Roma settlements and expressed his deep concern about the abuse of the rights their inhabitants. One of these settlements (Peri village in the Vsevolozhsk region of the Leningrad district) has been visited by Mr. Diene personally during his stay in the RUSSIAN FEDERATION. Special attention of Mr. Diene has been drawn to the problem of school education of Roma children, as they are often being separated into special classrooms within worse conditions compared to their non-Roma schoolmates. In the report the housing problem in Roma settlements, namely the forced evictions of Roma and demolitions of their homes has been put under harsh criticism.

A reason for deep concern of the UN special rapporteur has been the testimony of the victims of racial violence, including the victims of racist attacks among inhabitants of Roma settlement visited by the special rapporteur.

The analysis of the problems of racism and discrimination in the RUSSIAN FEDERATION has been concluded with recommendations, with one of them stating that: "The Government should adopt a comprehensive federal plan for the Roma community, aiming at both promoting and respecting their cultural identity and at eradicating their social and economic marginalization, in particular, poor housing conditions, lack of documents, the high level of dropouts of Roma children at school and the difficulties of the Roma to access employment. The plan should also aim at sensitizing the Russian society to Roma history and traditions, in order to eliminate the negative stigma and stereotypes Roma are recurrently associated with. The problem of housing evictions should be treated as a matter of priority."

The proposal to develop and set up an action plan on improving the conditions of Roma has been put forward already in 2003 by the Organisation for Security and Cooperation in Europe (OSCE) – another international institution, dealing amongst others also with human rights problems in the OSCE region, where Russia also belongs to. On the 2003 meeting of the council of ministers in Maastricht "a universal action plan on improving the conditions of Roma and Sinti in the OSCE region", where a proposal has been made that "Each national policy or implementation strategy should:

- (1) respond to the real problems, needs and priorities of Roma and Sinti communities; (2) be comprehensive;
- (3) introduce a balanced and sustainable approach to combining human rights goals with social policies; and
- (4) maximize Roma ownership of the policies that affect them.”

It has been also recommended to “At the same time, national policies or implementation strategies should be adapted and implemented according to the specific needs of Roma and Sinti populations in particular situations in participating States. Implementation strategies should also include mechanisms to ensure that national policies are implemented at the local level”.

The already known evaluation of the situation by the main international expert on racism and discrimination Mr. D. Diene definitely confirms the need for the development of such strategy or a federal action plan regarding Roma of the RUSSIAN FEDERATION. This need is the result of the difficult condition of Roma, the problems of the de facto segregated living conditions of the inhabitants of compact Roma settlements that in majority don't have either the correctly formalized documents for their houses nor stable sources of income, or access to many other social benefits. This condition in practice leads to the discrimination of Roma population in the RUSSIAN FEDERATION though on the legislative level discrimination is considered to be unacceptable and contradicts with several articles in the constitution of the RUSSIAN FEDERATION, as well with articles of the civil code, that guarantee the equal rights in education and employment etc. Nevertheless, the fact that discrimination is omnipresent in spite of the existing legislation, proves that the nondiscriminatory legislation is weak and insufficient. For the Russian Federation, the importance of the following recommendation for the OSCE participating states is obvious : “To adopt and implement effective anti-discrimination legislation to combat racial and ethnic discrimination in all fields, including, inter alia, access to housing, citizenship and residence, education, employment, health and social services”.

The most acute problem relating to the Roma communities in modern Russia is the problem of securing their homes. This problem has been raised in several reports of human rights activists earlier (see for example, the Bulletins of the North-West Center for Social and Legal protection of Roma No.); it also has been covered in the report by the Human Rights Council of the UN General Assembly. In the last years of land privatization and rapid construction of the city suburbs by private investors (often closely connected to local authorities) has led to the loss of the rights of Roma to their homes, where they have been living for several generations, but because of different circumstances they couldn't formalize their property rights. Russia declared itself the assignee of the Soviet Union and is obliged to carry out the responsibilities of the Soviet Union. Therefore, it should regulate the problem of Roma inhabitants rights to possess their homes and related land, because according to the decree of the Presidium of the Supreme Soviet of the Soviet Union from 1956 Roma have been deprived of their nomadic life and have been bound to fixed places of residence.

According to the officials of local administrations, Roma in 1950-60s of the past century were not given a formal permission to use the land , but rather “have been shown the places to stay”. Roma were building their homes following this decree, but according to the new law in the beginning of the XXI century their houses are being demolished, their families are being taken off the registration` , their land is being sold to investors, neglecting the responsibilities for the past decisions of the authorities as well as the recently accepted international responsibilities.

Meanwhile, the Maastricht decisions of the Council of Ministers of 2003 do propose to all the participating states:

“To put in place mechanisms and institutional procedures to clarify property rights, resolve questions of ownership and regularize the legal status of Roma and Sinti people living in circumstances of unsettled legality (e.g., Roma neighbourhoods lacking land rights or which are not included in the urban plans of the main locality; families and houses without legal residence status in settlements where the people have been living de facto for decades)”.

Another vital problem that needs a complex solution is the question of school education for Roma children.

Everybody who is aware about the situation in the schools, based within or near the compact Roma settlements, knows about the problems of attending schools, pre-school courses, guaranteeing obligatory general primary education. Such problems are not specific to our country only. Therefore special attention has been put to this question in the action plan proposed by the OSCE Council of Ministers:

“Strong immediate measures in this field, particularly those that foster school attendance and combat illiteracy, should be assigned the highest priority both by decision-makers and by Roma and Sinti communities. Educational policies should aim to integrate Roma and Sinti people into mainstream education by providing full and equal access at all levels, while remaining sensitive to cultural differences”.

In terms of actions on improving the conditions of Roma and Sinti in the OSCE region it is highly recommended to “develop and implement comprehensive school desegregation programs” as well as “consider measures to ensure the respect, protection and promotion of the Romani language and its teaching, and of Roma culture as an integral part of the Roma and Sinti cultural heritage”. These recommendations need to be specially emphasized, as those who deal with the problems of school education of Roma children throughout years, have come to the conclusion that the provision of equal opportunities, desegregation and involvement of these pupils into education process should always be accompanied by the additional attention to the national Roma culture and – especially!- to the language. Without understanding the importance of the mother tongue for Roma children, their traditions and culture, it is impossible to reach neither their interest in the school education nor their trust and mutual respect.

Some specific items of the action plan include recommendations relating to security (protection from racism), defending the dignity of the Roma population in the mass-media and the problem of police violence. For all these issues there should be a political will to overcome the established negative practices and stereotypes.

The questions regarding the guarantee to the Roma community of adequate housing and access to resources – primarily to clean water, electricity and- wherever possible - to natural gas are extremely important. The cut-offs from water, electricity and gas supply have become usual practice in recent years. All of this threatens the health of the inhabitants of these settlements, primarily children, ill people, the handicapped, and women. As a result the life expectancy in the Roma settlements decreases while the child mortality increases and the number of chronically ill people grows. The action plan should include guaranteed access of Roma citizens to a qualified medical care.

The base for the economic well-being of every family is an opportunity to earn a living by getting employed. Without special measures, like a program addressing the preservation of traditional Roma handicraft as well as preparing the young for a modern career, the problem of the total unemployment of Roma will be not solved. There should be not only political decisions in this field, but the provision of additional funds for the professional training of young Roma. The investments into this field, will pay off, as not only the Roma community but also the state and the society will profit. The same applies to the problem of political participation of Roma in their own country. Only under the condition of involving Roma activists into the political process it is possible to hope for overcoming centuries of isolation of this nation in the future. That's why OSCE recommends :“ Encourage Roma and Sinti people to engage more actively in public service, including, where necessary, through the introduction of special measures to promote their participation in the civil service. Empower and integrate Roma and Sinti individuals into decision-making processes of States and localities as elected representatives of their communities and as citizens of their respective countries.”.

Last but not least, we shall pay attention to the complex situation of the immigrant Roma communities in the RUSSIAN FEDERATION. Most of them originate from former republics of the Soviet Union. These poor people came to the streets of the Russian cities: barefeet, with hungry children in their arms, exhausted. They came from Central Asia, Ukraine or Moldova in the hope to get a piece of bread, that is impossible to get in their own poor countries. These Roma are not even Russian citizens but still as humans, they have rights. The OSCE “ Action Plan on Roma” mentions such people too:

“The participating States have an obligation to ensure that, even in crisis and post-crisis situations, all the fundamental rights, including the rights of refugees deriving from relevant international instruments, in particular the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, are secured

without discrimination. They take into account the UN Guiding Principles on Internal Displacement as a useful framework for the work of the OSCE and their endeavours in dealing with internal displacement”.

From everything above mentioned, it is obvious, that without a complex action program on overcoming discrimination of Roma in RUSSIAN FEDERATION the problem will not be solved. The question is not whether Russia needs an action plan, but how to make the government adopt the necessary program and provide its implementation.